

Digital Health and Rights Project
Statement on the Global Digital Compact (September 2024)

The agreement of the Global Digital Compact (GDC) represents much-needed progress towards building consensus on and tackling the urgent challenges arising from the emergence of digital technologies and artificial intelligence (AI). With limited global digital governance laws and policies in today's world, this has been an ambitious process. Below, the Digital Health and Rights Project (DHRP)¹ reflects on the GDC commitments and processes, with key recommendations for ensuring that human rights are protected in the digital age.

Overall Comments:

We are pleased that Member States have made progress toward strengthening global digital governance by agreeing to the Compact text. It is positive to see consensus on the need for digital governance principles, such as human rights (*"all human rights...must be respected, protected and promoted online and offline"*), safety (*"Our goal is an inclusive, open, sustainable, fair, safe and secure digital future for all"*), equity and fairness (*"to ensure that the benefits of digital cooperation are fairly distributed and do not exacerbate existing inequalities"*) and multistakeholderism (*"the inclusive participation of all states and other stakeholders is the cornerstone of this Compact"*).

Moving forward, the GDC will be a valuable tool for civil society to push and hold Member States to account on important commitments to tackling key issues such as:

- Digital literacy (*"Design and roll out digital media and information literacy curricula to ensure that all users have the skills and knowledge to safely and critically interact with content and with information providers"*);
- Data privacy (*"We will establish and maintain robust risk mitigation and redress measures that also protect privacy and freedom of expression"*)
- Digital harms (*"address all forms of violence, including sexual and gender-based violence, which occurs through or is amplified by the use of technology"*)
- Data biases (*"Develop data and metadata standards designed to prevent and address bias, discrimination or human rights violations and abuses"*)

¹ The Digital Health and Rights Project Consortium (DHRP) is an international consortium of social scientists, human rights lawyers, health advocates, and global and national networks of people living with HIV. Our comments are grounded in evidence and recommendations developed through participatory and community-engaged research conducted with young adults and civil society in Bangladesh, Colombia, Ghana, Kenya and Vietnam.

This is an excellent foundation, however, it is critical that stakeholders shift their focus to how the GDC will now be effectively implemented. To this end, we share three key points:

The right to health must be protected by the Global Digital Compact:

We have consistently argued that health is a critical sector that is impacted, and will continue to be transformed, by digital technologies and AI. Digital transformations are now widely recognised as determinants of health due to their profound direct and indirect impacts on all aspects of health and well-being. Thus, among other actions, we recommended the adoption of language in the GDC that commits Member States to evaluating the impact of digital technologies on health, including mental health, and to take actions to protect the right to health.

Despite these efforts, there is no explicit mention of health in the GDC text, nor supporting commitments such as outlining the complementary role that the WHO can play in GDC implementation. There is a note of 'mental health and wellbeing' in paragraph 31(a), however we feel that this does not cover the right to health in its fullness, thereby risking the omission of other key issues.

Looking forward, despite the absence of reference to health, stakeholders must assess and manage the impact of implementing the GDC on the right to health, utilising and strengthening the guidance available from UN and donor institutions², and ensuring that all stakeholders are knowledgeable of how digital technologies and AI can impact health and the laws, regulation and governance related to human rights in the use of data and technology.

Human rights must underscore digital governance, including in the Global Digital Compact:

As the DHRP, we maintain that human rights should be the foundation of any strategies, laws or policies on digital technologies. This includes the right to health, privacy, participation and freedom from discrimination.

We are pleased to see human rights as a core principle of the GDC. In particular, we are glad to see the language of 'international human rights law'. However, we are aware that this has been a contentious issue, with silence broken during negotiations on paragraph's 22 and 25, and that this language has been vulnerable to change.

To this end, we support commitments to human rights - including the creation of the UN Digital Human Rights Advisory Service - and look forward to their operationalisation. We hope to see stakeholders upholding these principles in the implementation of the GDC and making efforts in the monitoring and evaluation of progress to assess how far human rights have been protected in digital governance and what measures could be added to ensure adequate protection.

² For example, UNDP (2021) Guidance on the Rights-based and Ethical Use of Digital Technologies in HIV and Health Programmes; WHO (2021) Ethics and Governance of Artificial Intelligence for Health.

Young people, communities and civil society must be meaningfully involved in digital governance processes, including in the Global Digital Compact

We acknowledge the diverse efforts made to consult all stakeholders on the development of the GDC, but feel that challenges remain in ensuring that this is meaningful, embedded in the Compact and continues into the implementation process.

We reinforce the importance of taking a generational and intersectional approach to digital cooperation in order to ensure that digital governance results in better lives for all. [Our research](#) finds that the benefits and harms do not accrue to all equally, and that many well-intentioned efforts to address such issues as the digital divide and digital inclusion are undermined by long-standing inequalities.

In particular, young people's experiences of digital transformations are—and will be—very different to other generations. Diverse youth, along with representatives from other marginalised groups, should therefore be supported to play a central role in digital and data governance and investments should be made in their digital health citizenship.

Therefore, moving forwards, member states must indicate a clear roadmap for youth, civil society and community engagement in the implementation of the GDC. This includes, but is not limited to, hosting annual consultative processes to monitor implementation and discuss progress.

We look forward to supporting the implementation of the Global Digital Compact.

For more information visit our [website](#) or contact molly-pj@stopaids.org.uk.